

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

FRONTIER COMMUNICATIONS CORP., *et al.*,

Reorganized Debtors.

Chapter 11

Case No. 20-22476 (MG)

(Jointly Administered)

ORDER COMPELLING PRODUCTION

Pursuant to a prior order in this case requiring Frontier to produce “all documents relating to each of the entries in [RCC124], dating from May 1, 2024 through January 6, 2025 (or later if the issues with the spreadsheet [RCC124] are not resolved by January 6, 2025),” Frontier has produced to the Court various documents for *in camera* review. (ECF Doc. # 2488.) Frontier also provided a letter accompanying this production (“Letter,” ECF Doc. # 2496), as well as an updated privilege log and two spreadsheets detailing the results of Frontier’s investigation into the meaning of RCC124. This Order sets out the Court’s document-by-document rulings on the most recent *in camera* submission.

As was the case with the prior privilege review, Frontier has waived work product protection over fact work product related to the “matter” of RCC124. (*See* ECF Doc. # 2489 at 3 –4 (collecting cases).) This time, by providing two more spreadsheets containing the results of their outside counsel’s investigations, Frontier has once again waived work product protection over fact work product related to the “matter” of these two spreadsheets, including drafts of those spreadsheets and conversations between Frontier employees concerning their creation. (*See id.*)

The below chart contains the Court’s document-by-document rulings and associated orders. The chart also reflects the assertions of privilege or work product protection Frontier

made over each document in its privilege log. WP stands for “work product,” and AC stands for “attorney-client.”

Frontier is hereby **ORDERED** to produce to the claimants the documents indicated for production in the following chart.

BATES (PRIV0000-)	PRIVILEGE ASserted	PRIVILEGED (WP or AC)?	ORDER
2044	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2045	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2046	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2047	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2048	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2049	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2050	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2051	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2052	WP	NOT PRIVILEGED (to the extent this constitutes fact work product, privilege is	Produce

		waived; does not contain hallmarks of opinion work product)	
2053	WP	NOT PRIVILEGED (to the extent this constitutes fact work product, privilege is waived; does not contain hallmarks of opinion work product)	Produce
2054	AC, WP	PRIVILEGED (communication with outside counsel protected by AC privilege; communication between employees made to aid outside counsel)	Do not produce
2055	WP	PRIVILEGED (prepared by or for a party in anticipation of litigation, but only one portion is opinion work product because it reflects outside counsel's mental processes: Jesse Ross's first December 5, 2024, 6:47pm message; to the extent that the rest is fact product, privilege is waived)	Produce but redact the first message in the thread.
2056	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce

2057	WP	NOT PRIVILEGED (fact work product is waived)	Produce
2058	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2059	WP	NOT PRIVILEGED (fact work product is waived)	Produce
2060	WP, AC	PRIVILEGED (communication with outside counsel)	Do not produce
2061	WP	NOT PRIVILEGED (fact work product is waived)	Produce
2062	WP, AC	PRIVILEGED (communication with outside counsel)	Do not produce
2063	WP, AC	PRIVILEGED (information disclosed to outside counsel for the purpose of facilitating provision of legal advice falls within scope of attorney-client privilege)	Do not produce
2064	WP, AC	PRIVILEGED (communication with outside counsel)	Do not produce
2065	WP	NOT PRIVILEGED (to the extent this constitutes fact work product, privilege is waived; does not contain hallmarks of opinion work product)	Produce

2066	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2067	AC, WP	PRIVILEGED (communication with outside counsel)	Do not produce
2068	WP	NOT PRIVILEGED (to the extent this constitutes fact work product, privilege is waived; does not contain hallmarks of opinion work product)	Produce
2069	AC, WP	PRIVILEGED (communication with outside counsel protected by AC privilege; communication between employees made to aid outside counsel)	Do not produce
2070	AC, WP	PRIVILEGED (communication with outside counsel protected by AC privilege)	Do not produce

IT IS SO ORDERED.

Dated: January 22, 2025
New York, New York

s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge